

House File 438 - Introduced

HOUSE FILE _____
BY UPMEYER

(COMPANION TO SF 12 BY KIBBIE)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the mailing of a certified copy of a
2 certificate or record by the state registrar of vital
3 statistics.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1113HH 83
6 jm/rj/5

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1 1 Section 1. Section 144.13A, subsection 2, Code 2009, is
1 2 amended to read as follows:
1 3 2. The state registrar shall charge the parent a separate
1 4 fee established under section 144.46 for a certified copy of
1 5 the certificate. ~~The state registrar shall mail the certified~~
1 6 ~~copy shall be mailed to the parent by the state registrar~~
1 7 ~~certified mail.~~ The mailing of a certified copy of the
1 8 certificate to a biological parent shall not be precluded by
1 9 the execution of a release of custody under chapter 600A, and,
1 10 upon request, a biological parent shall be provided with a
1 11 certified copy of the certificate unless the parental rights
1 12 of the biological parent are terminated.

1 13 Sec. 2. Section 144.45, Code 2009, is amended to read as
1 14 follows:

1 15 144.45 CERTIFIED COPIES.

1 16 1. The state registrar and the county registrar shall,
1 17 upon written request from any applicant entitled to a record,
1 18 issue a certified copy of any certificate or record in the
1 19 registrar's custody or of a part of a certificate or record.
1 20 Each copy issued shall show the date of registration; and
1 21 copies issued from records marked "delayed", "amended", or
1 22 "court order" shall be similarly marked and show the effective
1 23 date.

1 24 2. ~~If a certified copy of any certificate or record in the~~
1 25 ~~registrar's custody is sent by mail, the certified copy shall~~
1 26 ~~be sent by certified mail.~~

1 27 3. A certified copy of a certificate, or any part thereof,
1 28 shall be considered for all purposes the same as the original
1 29 and shall be prima facie evidence of the facts therein stated,
1 30 provided that the evidentiary value of a certificate or record
1 31 filed more than one year after the event, or a record which
1 32 has been amended, shall be determined by the judicial or
1 33 administrative body or official before whom the certificate is
1 34 offered as evidence.

1 35 4. The national division of vital statistics may be
2 1 furnished copies or data which it requires for national
2 2 statistics, provided that the state be reimbursed for the cost
2 3 of furnishing data, and provided further that data shall not
2 4 be used for other than statistical purposes by the national
2 5 division of vital statistics unless so authorized by the state
2 6 registrar.

2 7 5. Federal, state, local, and other public or private
2 8 agencies may, upon written request, be furnished copies or
2 9 data for statistical purposes upon terms or conditions
2 10 prescribed by the department.

2 11 6. ~~No~~ A person shall not prepare or issue any certificate
2 12 which purports to be an original, certified copy, or copy of a
2 13 certificate of birth, death, fetal death, or marriage except
2 14 as authorized in this chapter.

2 15 EXPLANATION

2 16 This bill relates to the mailing of a certified copy of a
2 17 certificate or record by the state registrar of vital

2 18 statistics.
2 19 If a certified copy of a certificate or record is requested
2 20 from the state registrar of vital statistics and the certified
2 21 copy is sent by mail, the bill requires that the certified
2 22 copy be sent by certified mail.
2 23 Certified mail is defined in Code section 618.15 to mean
2 24 any form of mail service provided by the United States post
2 25 office where the post office provides the mailer with a
2 26 receipt to prove mailing.
2 27 The registrar of vital statistics keeps records relating to
2 28 births, deaths, fetal deaths, adoptions, marriages,
2 29 dissolutions, and annulments.
2 30 LSB 1113HH 83
2 31 jm/rj/5